

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

LENROY MCLEAN,

Defendant.

No. 08-cr-789-7 (RJS)
ORDER

RICHARD J. SULLIVAN, Circuit Judge:

The Court is in receipt of a letter from Defendant Lenroy McLean requesting information related to several grand juries impaneled between 2008 and 2009. (Doc. No. 481.) Under Federal Rule of Criminal Procedure 6(e)(6), “[r]ecords . . . relating to grand-jury proceedings must be kept under seal to the extent and as long as necessary to prevent the unauthorized disclosure of a matter occurring before a grand jury.” To overcome this presumption of sealing, McLean must show “a particularized need that outweighs the need for secrecy.” *In re Grand Jury Subpoena*, 103 F.3d 234, 239 (2d Cir. 1996) (internal quotation marks omitted). A particularized need exists where (1) “the material [sought] is needed to avoid a possible injustice in another judicial proceeding,” (2) “the need for disclosure is greater than the need for continued secrecy,” and (3) the “request is structured to cover only material so needed.” *Id.* (internal quotation marks omitted). Because McLean has not articulated any need whatsoever for these records, let alone a particularized one, his request is DENIED.¹ The Clerk of Court is respectfully directed to mail a copy of this Order to McLean.

SO ORDERED.

Dated: November 14, 2022
New York, New York



RICHARD J. SULLIVAN
UNITED STATES CIRCUIT JUDGE
Sitting by Designation

¹ To the extent that McLean’s letter can be construed as a request for information and documents under the Freedom of Information Act, 5 U.S.C. § 552 *et seq.*, that request is also denied, for the simple reason that the Court is not an “agency” of the United States under the statute. *See* 5 U.S.C. § 551(1)(B).